

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

Mo-6283/WW-5514

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

To be assigned **09/807094**

INTERNATIONAL APPLICATION NO.

PCT/EP99/07349

INTERNATIONAL FILING DATE

04 October 1999 (4.10.99)

PRIORITY DATE CLAIMED

16 October 1998 (16.10.98)

TITLE OF INVENTION HIGH LUSTER, FLEXIBLE MULTILAYERED FILM WITH A POLYAMIDE OUTER LAYER CONTAINING  
NANODISPERSED FILLING MATERIAL AND UTILIZATION OF SAID FILM FOR PACKAGING FOODSTUFFS

APPLICANT(S) FOR DO/EO/US Holger Eggers; Gregor Kaschel

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:

PTO FORM 1449 AND REFERENCES LISTED THEREIN; PRELIMINARY AMENDMENT W/ABSTRACT

<b>21. <input checked="" type="checkbox"/> The following fees are submitted:</b> <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a) (2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1000.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$860.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$710.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$690.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b>  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>CALCULATIONS PTO USE ONLY</b>																																																			
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	860.00																																																		
<table><tr><td>CLAIMS</td><td>NUMBER FILED</td><td>NUMBER EXTRA</td><td>RATE</td></tr><tr><td>Total claims</td><td>12 -20 =</td><td>0</td><td>x <b>\$18.00</b></td></tr><tr><td>Independent claims</td><td>1 -3 =</td><td>0</td><td>x <b>\$80.00</b></td></tr><tr><td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td><td>+ <b>\$270.00</b></td></tr><tr><td colspan="3"><b>TOTAL OF ABOVE CALCULATIONS =</b></td><td>\$ 860.00</td></tr><tr><td colspan="3"><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</td><td>+ \$ 0.00</td></tr><tr><td colspan="3"><b>SUBTOTAL =</b></td><td>\$ 860.00</td></tr><tr><td colspan="3">Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</td><td>\$</td></tr><tr><td colspan="3"><b>TOTAL NATIONAL FEE =</b></td><td>\$ 860.00</td></tr><tr><td colspan="3">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +</td><td>\$ 40.00</td></tr><tr><td colspan="3"><b>TOTAL FEES ENCLOSED =</b></td><td>\$ 900.00</td></tr><tr><td colspan="3"></td><td>Amount to be refunded: \$</td></tr><tr><td colspan="3"></td><td>charged: \$</td></tr></table>				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	12 -20 =	0	x <b>\$18.00</b>	Independent claims	1 -3 =	0	x <b>\$80.00</b>	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ <b>\$270.00</b>	<b>TOTAL OF ABOVE CALCULATIONS =</b>			\$ 860.00	<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.			+ \$ 0.00	<b>SUBTOTAL =</b>			\$ 860.00	Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).			\$	<b>TOTAL NATIONAL FEE =</b>			\$ 860.00	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +			\$ 40.00	<b>TOTAL FEES ENCLOSED =</b>			\$ 900.00				Amount to be refunded: \$				charged: \$
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- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 13-3848 in the amount of \$ 900.00 to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 13-3848. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card  
information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:  
**JAMES R. FRANKS**  
**BAYER CORPORATION**  
**PATENT DEPARTMENT**  
**100 BAYER ROAD**  
**PITTSBURGH, PA 15205-9741**  
**USA**



James R. Franks  
SIGNATURE  
**JAMES R. FRANKS**  
NAME  
42,552  
REGISTRATION NUMBER

# TRANSMITTAL LETTER TO THE UNITED STATES RECEIVING OFFICE

Date	9 April 2001
International Application	PCT/EP99/07349
Attorney Docket No.	Mo-6283/WW-5514

## I. Certification under 37 CFR 1.10 (if applicable)

EK633383573US
Express Mail mailing number

9 April 2001
Date of Deposit

I hereby certify that the application/correspondence attached hereto is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.


Signature of person mailing correspondence

Donna J. Veatch
Typed or printed name of person mailing correspondence

## II. ☒ New International Application

TITLE	HIGH LUSTER, FLEXIBLE MULTILAYERED FILM WITH A POLYAMIDE OUTER LAYER CONTAINING NANODISPERSED FILLING MATERIAL AND UTILIZATION OF SAID FILM FOR PACKAGING FOODSTUFFS
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Earliest priority date (Day/Mon/Year)
October 16, 1998

**SCREENING DISCLOSURE INFORMATION:** In order to assist in screening the accompanying international application for purposes of determining whether a license for foreign transmittal should and could be granted and for other purposes, the following information is supplied. (Note: check as many boxes as apply):

- A. ☒ The invention disclosed was not made in the United States.
- B. ☒ There is no prior U.S. application relating to this invention.
- C. ☐ The following prior U.S. application(s) contain subject matter which is related to the invention disclosed in the attached international application. (NOTE: priority to these applications may or may not be claimed on form PCT/RO/101 (Request) and this listing does not constitute a claim for priority.)

application no.		filed on	
application no.		filed on	

- D. ☐ The present international application ☐ contains additional subject matter not found in the prior U.S. application(s) identified in paragraph C. above. The additional subject matter is found on pages  and ☐ DOES NOT ALTER ☐ MIGHT BE CONSIDERED TO ALTER the general nature of the invention in a manner which would require the U.S. application to have been made available for inspection by the appropriate defense agencies under 35 U.S.C. 181 and 37 CFR 5.1. See 37 CFR 5.15

## III. ☐ A Response to an Invitation from the RO/US. The following document(s) is(are) enclosed:

- A. ☐ A Request for An Extension of Time to File a Response
- B. ☐ A Power of Attorney (General or Regular)
- C. ☐ Replacement pages:

pages		of the request (PCT/RO/101)	pages		of the figures
pages		of the description	pages		of the abstract
pages		of the claims			

- D. ☐ Submission of Priority Documents


Priority document		Priority document	
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- E. ☐ Fees as specified on attached Fee Calculation sheet form PCT/RO/101 annex

## IV. ☐ A Request for Rectification under PCT 91 ☐ A Petition ☐ A Sequence Listing Diskette

- V. ☒ Other (please specify): Preliminary Amendment w/Abstract; PTO Form 1449 and references listed therein

The person  
signing this  
form is the:

<input type="checkbox"/> Applicant	James R. Franks
<input checked="" type="checkbox"/> Attorney/Agent (Reg. No.) 42,552	Typed name of signer
<input type="checkbox"/> Common Representative	 Signature